

The Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MARK VINIELLO AND OVER ACTIVE  
IMAGINATIONS, INC.,

Plaintiffs,

v.

AMAZON.COM, INC.,

Defendant.

) Case No. 2:23-cv-01866-MLP  
)  
) **STIPULATED MOTION AND**  
) **~~PROPOSED~~ ORDER RE**  
) **CONTINUING INITIAL**  
) **SCHEDULING DATES PENDING**  
) **MOTION TO DISMISS (DKT. 20)**  
)  
) NOTE ON MOTION CALENDAR:  
) April 8, 2024  
)  
)

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 7(j), the parties, by and through counsel, stipulate and agree as follows:

1. On March 19, 2024, this Court issued an Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Dkt. 16) (“Initial Scheduling Order”). The Initial Scheduling Order set the initial deadlines for the parties’ FRCP 26(f) Conference (4/17/24), Initial Disclosures (5/1/24), and Combined Joint Status Report and Discovery Plan (5/15/24) (“Initial Scheduling Dates”).

2. On April 2, 2024, Defendant Amazon.com, Inc. (“Amazon”) filed a Motion to Dismiss (Dkt. 20) which, if granted, could resolve this action in its entirety. The Motion to Dismiss is noted on the motion calendar for April 26, 2024.

3. The parties agree that it would be more efficient for the Initial Scheduling Dates to take place after the Court decides the pending Motion to Dismiss. The parties therefore request that the Court extend the Initial Scheduling Dates as follows:

Event	Old Date	New Date
Deadline for FRCP 26(f) Conference	4/17/24	14 days after the Court rules on the pending Motion to Dismiss
Initial Disclosures Pursuant to FRCP 26(a)(1)	5/1/24	21 days after the Court rules on the pending Motion to Dismiss
Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and Local Civil Rule 26(f)	5/15/24	28 days after the Court rules on the pending Motion to Dismiss

1 IT IS SO STIPULATED.

2 DATED this 8th day of April, 2024.

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27 **Attorney for Over Active Imaginations, Inc.**

## ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED this 9th day of April, 2024.



MICHELLE L. PETERSON  
United States Magistrate Judge